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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,679	01/26/2004	Eric Watson	303248.01	9444
22971 7590 03/06/2008 MICROSOFT CORPORATION ONE MICROSOFT WAY REDMOND, WA 98052-6399				
			EXAMINER SHECHTMAN, CHERYL MARIA	
			ART UNIT 2163	PAPER NUMBER
			NOTIFICATION DATE 03/06/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/764,679

Applicant(s)

WATSON ET AL.

Examiner

Cheryl M. Shechtman

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is in response to the Appeal Brief filed November 19, 2007.

Claims 1-41 are pending. Claims 1, 16, 27, and 35 are amended.

Response to Arguments

2. Applicant's arguments, see pages 6-7 of Appeal Brief, filed November 19, 2007, with respect to the rejection(s) of claim(s) 1-41 under 35 USC 103(a) have been fully considered and are persuasive. Therefore, the final rejection of the claims has been withdrawn. Prosecution is hereby reopened.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 16-26 and 35-41 are rejected under 35 U.S.C. 102(e) as being anticipated by US PGPub 2005/0004889 by Bailey et al. (hereafter Bailey).

Referring to claim 16, Bailey discloses for use with a search engine query preprocessor, a method that selectively executes a query made up of a string of query terms on a plurality of data sources comprising (Fig. 1; Summary of Invention):

- obtaining context information about the origin of the query ('popularity scores', para. 67, 119 and 146);
- automatically classifying the query as one of a set of query categories by selecting one of a set of query categories based on the presence of query terms and context information (para. 44-46 and 125-127; Fig. 8);
- automatically modifying the query to include the query category (para. 103-105, Fig. 6); and
- executing the modified query on a data source that contains information related to the query category (para. 106-108, Fig. 6).

Referring to claim 35, the limitations of the claim are similar to the limitations of claim 16 above and are therefore rejected for the same reasons as claim 16.

Referring to claims 17 and 36, Bailey discloses maintaining a list of query terms mapped to categorization codes and wherein the query is classified by selecting a category code that corresponds to query terms in the query (para. 44-46 and 125-127).

Referring to claims 20 and 37, Bailey discloses that the list of query terms is mapped to categorization codes based on a category of user selected results to previous queries containing the query terms (para. 67 and 118).

Referring to claims 21 and 38, Bailey discloses presenting the modified query to a plurality of federation engines each of which selectively executes the modified query on a data source associated with the federation engine (para 43-50, Fig. 2).

Referring to claims 22 and 39, Bailey discloses maintaining a cache for each federation engine that stores results to previously executed queries on the associated data source (para 43-50, Fig. 2).

Referring to claims 23 and 40, Bailey discloses grouping query terms as phrases and modifying the query to reflect the grouping (para 43-46).

Referring to claim 24, Bailey discloses that terms are grouped as phrases when previous queries containing the terms returned user selected results that grouped the terms as phrases (para. 67 and 118).

Referring to claims 25 and 41, Bailey discloses augmenting the query with correctly spelled versions of any misspelled query terms (para. 46 and 166).

Referring to claim 26, Bailey discloses a computer readable medium comprising computer executable instructions for performing the method of claim 16 (para. 2, 11, and 13).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-15 and 27-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over US PGPub 2005/0004889 by Bailey et al. (hereafter Bailey), and further in view of US Patent 6,460,0209 issued to Fries et al (hereafter Fries).

Referring to claim 1, Bailey et al. discloses for use with a search engine, a query pipelining system that selectively executes a user entered query made up of a string of query terms on a plurality of data sources (Fig. 1; Summary of Invention) comprising:

a query term recognizer that examines the query terms and identifies and automatically groups query terms ('Mark Twain', para. 127-128; para. 167; para. 45);

a query type recognizer that examines the query terms and categorizes the query as one of a plurality of query types (para. 127 and 131);

a query intent personalizer that gathers information about the user entering the query and provides this information to the query term recognizer and query type recognizer ('popularity scores', para. 119 and 146);

a query modifier that modifies the user entered query based on the term grouping determined by the query term recognizer and the query type determined by the query type recognizer (para. 37 and 43-46);

a query federation module that selects data sources from the plurality of data sources and executes the modified query on the selected data sources (para. 36, 43-46 and 164-167).

However while Bailey teaches all of the above claimed subject matter and teaches automatically grouping query terms (para. 45), it does not explicitly teach that the automatic grouping of the query terms is performed after it is determined that the query terms are intended as a phrase.

However Fries teaches analogous art that includes automatically grouping query terms after it is determined that the query terms are intended as a phrase (col. 13, lines 24-55).

It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Bailey to include automatically grouping query terms after it is determined that the query terms are intended as a phrase, as taught by Fries.

The ordinary skilled artisan would have been motivated to modify Bailey per the above for the purpose of returning relevant topics to the user pertaining to the user's query (Fries, col. 13, lines 49-51).

Referring to claim 27, Bailey discloses for use with a search engine query preprocessor, a computer readable medium comprising computer executable instructions for executing a query made up of a string of query terms on a selected data sources comprising (Fig. 1; Summary of Invention; para. 2, 11, and 13):

- obtaining context information about the user entering the query ('popularity scores', para. 67, 119 and 146);
- examining the query terms and automatically grouping terms based on the gathered context ('Mark Twain', para. 127-128; para. 167; para 45);
- examining the query terms and automatically categorizing the query as one of a plurality of query types based on the gathered context (para. 127 and 131);
- modifying the user entered query based on the term grouping and query type (para. 37 and 43-46); and
- selectively executing the modified query on the data sources (para. 36, 43-46 and 164-167).

However while Bailey teaches all of the above claimed subject matter and teaches automatically grouping query terms (para. 45), it does not explicitly teach that the automatic grouping of the query terms is performed after it is determined that the query terms are intended as a phrase.

However Fries teaches analogous art that includes automatically grouping query terms after it is determined that the query terms are intended as a phrase (col. 13, lines 24-55).

It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Bailey to include automatically grouping query terms after it is determined that the query terms are intended as a phrase, as taught by Fries.

The ordinary skilled artisan would have been motivated to modify Bailey per the above for the purpose of returning relevant topics to the user pertaining to the user's query (Fries, col. 13, lines 49-51).

Referring to claims 2 and 28, the combination of Bailey/Fries teaches a spell checker that recognizes misspelled query terms and replaces the misspelled query terms with correctly spelled terms and wherein the query term recognizer and query type recognizer examine the correctly spelled terms (Bailey, para. 36 and 46).

Referring to claim 3, the combination of Bailey/Fries teaches that the spell checker augments the query with correctly spelled terms and wherein the query term recognizer and query type recognizer examine the augmented query (Bailey, para. 46 and 166).

Referring to claims 4 and 29, the combination of Bailey/Fries teaches a query list that maps possible query terms to other terms with which they are often grouped and wherein the query term recognizer refers to the query term list to identify and group terms as phrases (Bailey, para. 44-46 and 125-127).

Referring to claims 5 and 30, the combination of Bailey/Fries teaches a query list that maps possible query terms to categorization terms and wherein the query type

recognizer refers to the query term list to assign a type to the query (Bailey, para. 44-46 and 125-127).

Referring to claims 6 and 31, the combination of Bailey/Fries teaches identifying the query as a local query seeking information related to a specific geographic region from which the query originated (Fries, col. 23, lines 57- col. 24, line 17 ; Fig. 22-25).

Referring to claims 7 and 32, the combination of Bailey/Fries teaches the query type recognizer augments the query with information about the specific geographic region when a local query is identified (Fries, col. 23, lines 57- col. 24, line 17 ; Fig. 22-25).

Referring to claim 8, the combination of Bailey/Fries teaches that a query federation module selects a phone directory data source upon which to execute the local query (Fries, col. 23, lines 57-63; Fig. 22, 25).

Referring to claim 9, the combination of Bailey/Fries teaches a context builder that retrieves information about the user entering the query (Bailey, para. 67 and 146).

Referring to claim 10, the combination of Bailey/Fries teaches web sites recently accessed by the user (Bailey, para. 67 and 92).

Referring to claims 11 and 33, the combination of Bailey/Fries teaches that the federation module includes a plurality of federation engines each dedicated to a specific data source and wherein each federation engine selectively executes the modified query on its data source based on the presence of triggering query terms in the modified query (Bailey, para 43-50, Fig. 2).

Referring to claims 12-13 and 34, the combination of Bailey/Fries teaches that each federation engine has an associated cache that saves results to previous queries that were returned to the federation engine from its data source and a query tracking module that records a user entered query, a modified query, and results returned by the modified query that were selected by the user (Bailey, para. 67 and 118).

Referring to claim 14, the combination of Bailey/Fries teaches that the query list is based on user selected results to previous queries containing query terms that were grouped as a phrase in the selected results (Bailey, para. 67 and 92).

As per claim 15, the combination of Bailey/Fries teaches that the query term list maps terms to query categories based on user selected results to previous queries that included the query terms (Bailey, para. 67 and 113).

5. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey, as applied to claim 16 above, and further in view of Fries.

Referring to claim 18, Bailey discloses all of the above claimed subject matter, however remains silent as to one of the query categories being a local query and wherein the local queries are modified to include query context information that identifies the geographic region from which the query originates.

However, Fries teaches analogous art that includes a query category being a local query and wherein local queries are modified to include query context information that identifies the geographic region from which the query originates (col. 23, lines 57- col. 24, line 17 ; Fig. 22-25).

It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Bailey to include a query category being a local query and wherein local queries are modified to include query context information that identifies the geographic region from which the query originates, as taught by Fries.

The ordinary skilled artisan would have been motivated to modify Bailey per the above for the purpose of returning geographically relevant search results that are local to the user.

Referring to claim 19, the combination of Bailey/Fries discloses that the data source is a phone directory data source (Fries, col. 23, lines 57-63; Fig. 22, 25).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M Shechtman who can be reached on (571) 272-4018. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 6, 2008
/C. M. S./

Examiner, Art Unit 2163

/don wong/

Supervisory Patent Examiner, Art Unit 2163